

EXHIBIT 5

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Attorneys for Defendant, BRANT BLAKEMAN

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

CORY SPENCER, an individual;
DIANA MILENA REED, an individual;
and COASTAL PROTECTION
RANGERS, INC., a California non-profit
public benefit corporation,

Plaintiffs,

vs.

LUNADA BAY BOYS; THE
INDIVIDUAL MEMBERS OF THE
LUNADA BAY BOYS, including but not
limited to SANG LEE, BRANT
BLAKEMAN, ALAN JOHNSTON AKA
JALIAN JOHNSTON, MICHAEL RAE
PAPAYANS, ANGELO FERRARA,
FRANK FERRARA, CHARLIE
FERRARA, and N.F.; CITY OF PALOS
VERDES ESTATES; CHIEF OF
POLICE JEFF KEPLEY, in his
representative capacity; and DOES
1-10,

Defendants.

CASE NO.: 2:16-CV-2129-SJO-RAO
Assigned to Courtroom: 1
The Hon. S. James Otero

DEFENDANT BRANT
BLAKEMAN'S INITIAL
DISCLOSURES PURSUANT TO
RULE 26(a)(1)

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BRANT BLAKEMAN'S INITIAL DISCLOSURES

Now comes Defendant Brant Blakeman and pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure makes these initial disclosure

1. The following persons are likely to have discoverable information that Defendant Brant Blakeman may use in support of his defenses:

(a) Brant Blakeman

Brant Blakeman is a named defendant in this matter. He resides in Palos Verdes Estates and can be contacted through counsel. He is expected to testify regarding his relationship and interactions with the plaintiffs, his relationship and interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes Estates. He will further testify as to the events on February 13, 2016 and February 29, 2016 when plaintiff Diana Milena Reed and Defendant Alan Johnston were in his presence on the beach at Lunada Bay.

(b) Alan Johnston

Alan Johnston is a named defendant in this matter. He resides in Palos Verdes Estates. It is believed Mr. Johnston can be contacted through his counsel. He is expected to testify regarding his relationship and interactions with the plaintiffs, his relationship and interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes Estates. He is expected to testify as the events on February 13, 2016 when plaintiff Diana Milena Reed and Brant Blakeman were in his presence on the beach at Lunda Bay.

(c) Sang Lee

Sang Lee is a named defendant. It is believed he can be contacted through his counsel. He is expected to testify regarding his relationship and interactions with the plaintiffs, his relationship and interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes Estates.

(d) Michael Rae Papayans

Michael Rae Papayans is a named defendant. It is believed he can be

1 contacted through his counsel. He is expected to testify regarding his relationship and
2 interactions with the plaintiffs, his relationship and interactions with the defendants,
3 and his experiences at Lunada Bay and Palos Verdes Estates.

4 (e) **Angelo Ferrara**

5 Angelo Ferrara is a named defendant. It is believed he can be contacted
6 through his counsel. He is expected to testify regarding his relationship and
7 interactions with the plaintiffs, his relationship and interactions with the defendants,
8 and his experiences at Lunada Bay and Palos Verdes Estates.

9 (f) **N.F.**

10 N.F. is a minor and a named defendant. It is believed he can be
11 contacted through his counsel. He is expected to testify regarding his relationship and
12 interactions with the plaintiffs, his relationship and interactions with the defendants,
13 and his experiences at Lunada Bay and Palos Verdes Estates.

14 (f) **Frank Ferrara**

15 Frank Ferrara is a named defendant. His residence and contact
16 information are unknown at this time or not available. He is expected to testify
17 regarding his relationship and interactions with the plaintiffs, his relationship and
18 interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes
19 Estates.

20 (g) **Charlie Ferrara**

21 Charlie Ferrara is a named defendant. His residence and contact
22 information are unknown at this time or not available. He is expected to testify
23 regarding his relationship and interactions with the plaintiffs, his relationship and
24 interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes
25 Estates.

26 (h) **The City of Palos Verdes Estates Rule 30(b)(6) witnesses**

27 The City of Palos Verdes is a named defendant in this matter. It is
28 believed it can be contacted through its counsel. It is anticipated that a the City of

1 Palos Verdes will designate one or more persons to testify on its behalf regarding the
2 City's relationship and interactions with the plaintiffs, the City's relationship and
3 interactions with the defendants, and the City's knowledge of Lunada Bay and Palos
4 Verdes Estates.

5 (i) **Jeff Kepley**

6 Jeff Kepley is the Chief of Police of Palos Verdes Estates. His
7 residence is unknown and it is believed he can be contacted through his counsel. He
8 is expected to testify regarding his relationship and interactions with the plaintiffs, his
9 relationship and interactions with the defendants, and his experiences at Lunada Bay
10 and Palos Verdes Estates. He is expected to testify regarding the City of Palos
11 Verdes Estates Police Departments history, interactions and relationship with the
12 plaintiffs, defendants, surfers, and beach goers. He is expected to testify as to issues
13 related to enforcement of the laws within his jurisdiction in the Lunada Bay and Palos
14 Verdes area.

15 (j) **Diana Milena Reed**

16 Diana Milena Reed is named plaintiff in this action. Her residence and
17 contact information are unknown although it is believed he may be contacted through
18 her counsel. She is expected to testify regarding her relationship and interactions with
19 the named plaintiffs, her relationship and interactions with the named defendants, and
20 her specific experience at Lunada Bay and Palos Verdes Estates. She is expected to
21 testify as the events on February 13, 2016 and her interactions with Alan Johnston and
22 Brant Blakeman. She is expected to testify as to events on February 29, 2016 and her
23 interactions with Brant Blakeman.

24 (k) **Cory Spencer**

25 Cory Spencer is a named plaintiff in this action. His residence and
26 contact information are unknown although it is believed he may be contacted through
27 his counsel. He is expected to testify regarding his relationship and interactions with
28 the plaintiffs, his relationship and interactions with the defendants, and his

1 experiences at Lunada Bay and Palos Verdes Estates.

2 (l) **Coastal Protection Rangers Rule 30(b)(6) witnesses**

3 Costal Protection Rangers is a named plaintiff in this matter. It is
4 believed it can be contacted through its counsel. It is anticipated that a the Costal
5 Protection Rangers will designate one or more persons to testify on its behalf
6 regarding it's relationship and interactions with the plaintiffs, it's relationship and
7 interactions with the defendants, and the it's knowledge of Lunada Bay and Palos
8 Verdes Estates.

9 (m) **Victor Otten**

10 Victor Otten is an attorney who's legal practice is located in Torrance,
11 California. His residence information is unknown and his contact information can be
12 found on plaintiffs' pleadings. He is expected to testify regarding his relationship and
13 interactions with the plaintiffs, his relationship and interactions with the defendants,
14 his relationship and interactions with witnesses, and his experiences at Lunada Bay
15 and Palos Verdes Estates.

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17 2. The following documents in the possession, custody, or control of Brant
18 Blakeman may be used in support of his defenses.

19 (a) February 13, 2016 video camera footage files showing interactions
20 with plaintiff Diana Milena Reed.

21 (b) February 29, 2016 video camera footage files showing interactions
22 with plaintiff Diana Milena Reed.

23
24 3. Defendant Brant Blakeman currently does not seek any damages from
25 plaintiffs. In so stating, Brant Blakeman does not waive the right to seek costs,
26 attorneys' fees, or other amounts to which he may be entitled or may become entitled
27 in the course of this litigation.

28 ///

1 4. Defendant Brant Blakeman identifies the following insurance agreements
2 that may satisfy all or part of a possible judgment or indemnify or reimburse payment
3 for judgment:

4 (a) Farmers Insurance Next Generation Homeowners Policy, Policy
5 Number 93998-80-99

6 (b) Farmers Insurance Personal Umbrella Policy, Policy Number
7 60599-58-95.

8 The insurance policies will be produced to all parties upon the issuance of an
9 appropriate protective order.

10 DATED: August 22, 2016

VEATCH CARLSON, LLP

11
12
13 By: /s/ Richard P. Dieffenbach
14 **ROBERT T. MACKEY**
15 **PETER H. CROSSIN**
16 **RICHARD P. DIEFFENBACH**
17 Attorneys for Defendant **BRANT**
18 **BLAKEMAN**

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I:\WP\01008018\DISC-Initial Disclosures BB.wpd

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444.

On August 22, 2016, I served the foregoing document described as **DEFENDANT BRANT BLAKEMAN'S INITIAL DISCLOSURES** on the interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

✓ Kurt A. Franklin
kfranklin@hansonbridgett.com

✓ Samantha Wolff
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✓ Victor Otten
vic@ottenlawpc.com

Mark C. Fields
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✓ Edwin J. Richards,
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✓ Jacob Song
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✓ Edward Ward
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✓ Peter Haven
peter@havenlaw.com

✓ J. Patrick Carey
pat@patcareylaw.com

X **ELECTRONIC MAIL SERVICE** I served the above documents by electronic mail in the United States during normal business hours by causing the within document to be transmitted to the attorneys of record for the parties herein at the email address(es) of said attorney(s) as indicated above. The electronic service was in compliance with CRC Rule 2.251 and the transmission was reported as complete and without error. I am readily familiar with Veatch Carlson, LLP business practices for electronic service.

X **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 22, 2016 at Los Angeles, California.

/s/ Andrea Dona

I:\WP\101008018\DISC-Initial Disclosures BB.wpd

Andrea Dona

From: Andrea Dona
Sent: Monday, August 22, 2016 4:09 PM
To: 'peter@havenlaw.com'; 'swolff@hansonbridgett.com'; 'jacob.song@kutakrock.com';
'tphillips@thephillipsfirm.com'; 'Edward.Ward@lewisbrisois.com';
'kfranklin@hansonbridgett.com'; 'vic@otteniawpc.com'
Cc: Richard P. Dieffenbach; John Worgul
Subject: Spencer v. Lunada Bay Boys; Brant Blakeman's Initial Disclosures
Attachments: DISC-B. Blakeman's Initial Disclosures.PDF

Attached please find Defendant Brant Blakeman's Initial Disclosures Pursuant to Rule 26(a)(1).

Andrea (Andi) Doña

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and Richard P. Dieffenbach
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8/22/2016

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444.

On 8/24/16, I served the foregoing document described as **DEFENDANT BRANT BLAKEMAN'S INITIAL DISCLOSURES PURSUANT TO RULE 26(a)(1)** on the interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

☒ **BY MAIL** (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **ELECTRONIC MAIL SERVICE** I served the above documents by electronic mail in the United States during normal business hours by causing the within document to be transmitted to the attorneys of record for the parties herein at the email address(es) of said attorney(s) as indicated above. The electronic service was in compliance with CRC Rule 2.251 and the transmission was reported as complete and without error. I am readily familiar with Veatch Carlson, LLP business practices for electronic service. :

☐ **BY PERSONAL SERVICE** (C.C.P. §§ 1011, *et seq.*): I delivered such envelope(s) by hand to the offices of the addressee(s).

☐ **BY FACSIMILE TRANSMISSION** from Facsimile No. (213) 383-6370 to the fax numbers listed below. The facsimile machine I used complied with Court Rule 2.306. Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report that showed the document was transmitted complete and without error and a copy is attached.

☐ **BY EXPRESS MAIL** (C.C.P. §§ 1013(c)(d), *et seq.*): I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.

☐ **BY REGISTERED MAIL** (C.C.P. §§ 1020, *et seq.*): I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by the addressee that said documents were received.

☐ **STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 24, 2016 at Los Angeles, California.


ANDREA DONA

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

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